

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
+ + + + +
MEETING

IN THE MATTER OF:

Jasper Ventures, LLC	
t/a Capitale	Fact-
1301 K Street, NW	Finding
Retailer CN - ANC-2F	Hearing
License No. 72225	

(One Day Substantial Change
Application-Independence Day
Event - Date of Event:
July 2, 2015)

June 24, 2015

The Alcoholic Beverage Control Board
met in the Alcoholic Beverage Control Hearing
Room, Reeves Building, 2000 14th Street, N.W.,
Suite 400S, Washington, D.C. 20009, Chairperson
Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:

ABYIE GHENENE, ABRA Investigator

1 P-R-O-C-E-E-D-I-N-G-S

2 10:36 a.m.

3 CHAIRPERSON MILLER: All right. We
4 have some Fact-Finding Hearings next. The first
5 one is Capitale located at 1301 K Street, N.W.,
6 License No. 72225, in ANC-2F.

7 Is anybody here from Capitale?

8 MR. CHUNG: Hello.

9 CHAIRPERSON MILLER: I'm sorry, sir,
10 what? Do you want to come forward?

11 MR. CHUNG: That sounds like a
12 business I'm on, but I'm here for another matter.

13 CHAIRPERSON MILLER: Oh, okay.

14 MR. CHUNG: What is this for?

15 CHAIRPERSON MILLER: This is for a one
16 day event.

17 MR. CHUNG: Prospect Dining?

18 CHAIRPERSON MILLER: Independence Day
19 event.

20 MR. CHUNG: Oh, yes, sorry.

21 CHAIRPERSON MILLER: Is that you?

22 MR. CHUNG: Yes.

1 CHAIRPERSON MILLER: Great. Okay.

2 MR. CHUNG: I'm sorry.

3 MEMBER ALBERTI: Don't be frightened.

4 CHAIRPERSON MILLER: Do you go by
5 Jasper Ventures or Capitale?

6 MR. CHUNG: Yes, it's -- it actually
7 should be under Prospect Dining.

8 CHAIRPERSON MILLER: Oh, Prospect
9 Dining? Okay. Let's start with introductions
10 then. Prospect Dining, that may be our fault.

11 MR. CHUNG: But it's -- I guess it
12 doesn't matter. We have done it under Jasper
13 Ventures.

14 MEMBER ALBERTI: I will comment that
15 whoever filled out the application put down
16 Jasper Ventures.

17 MR. CHUNG: Is that right?

18 MEMBER ALBERTI: So --

19 MR. CHUNG: Okay.

20 MEMBER ALBERTI: -- you know, we don't
21 fill out the application for you.

22 MR. CHUNG: Yes, let's go that way.

1 MEMBER ALBERTI: So if there is any
2 confusion, it's --

3 MR. CHUNG: It is confusing.

4 CHAIRPERSON MILLER: All right. So
5 why don't you introduce your name for the record,
6 yourself for the record?

7 MR. CHUNG: I'm David Chung.

8 CHAIRPERSON MILLER: Okay.

9 MR. CHUNG: Member of Jasper Ventures.

10 CHAIRPERSON MILLER: Okay. So what I
11 have indicated is that -- oh, I'm sorry, Mr.
12 Ghenene?

13 INVESTIGATOR GHENENE: Sure.
14 Investigator Ghenene with ABRA.

15 CHAIRPERSON MILLER: Thank you. I
16 have indicated that you want to use your license
17 that you have to use it at the Gateway Pavilion
18 on July 4th for an event with a live band
19 performance and food trucks.

20 MR. CHUNG: Yes, ma'am.

21 CHAIRPERSON MILLER: Okay. And you
22 anticipate 400 people?

1 MR. CHUNG: Yes, ma'am.

2 CHAIRPERSON MILLER: Okay. I also
3 have a notation, oh, you have it in here, too,
4 that you have had eight off-site events before
5 using your license?

6 MR. CHUNG: Yes, ma'am.

7 CHAIRPERSON MILLER: Okay. Are they
8 similar to this one or have you done this before?

9 MR. CHUNG: I guess so. We have had
10 them at Carnegie Library, the old Washington
11 Capitals Stadium. We've held the event on
12 Halloween for the last four or five years.

13 CHAIRPERSON MILLER: Could you just
14 give an overview of what is going to be going on
15 at this thing?

16 MR. CHUNG: So this is at the new DC
17 Pavilion off of Alabama Avenue. We are renting
18 the space that is covered. There is a rooftop as
19 well as a covered space just in case of rain.

20 MEMBER SHORT: Excuse me, is that
21 Alabama Avenue or is that Martin Luther King
22 Avenue?

1 MR. CHUNG: Martin Luther King. I
2 apologize.

3 MEMBER SHORT: Yes, okay.

4 MR. CHUNG: There is two entrances.
5 I'm sorry.

6 CHAIRPERSON MILLER: Okay.

7 MR. CHUNG: There is two entrances, so
8 you could do either one. There is a stage
9 already built for the space. There are tables.
10 It has a secure bar area. I did a conference
11 call yesterday with the -- Mr. James Parks who
12 runs the facility. Gated -- I'm sorry, keep the
13 security gates closed, so there is only one
14 entrance for ingress and egress, selling tickets
15 on-line. This is a band that we have been
16 working with for over three years now. Never had
17 an issue. We just need more space due to the
18 holiday.

19 I drew up a map that I would like --
20 if I could approach the Board?

21 CHAIRPERSON MILLER: Do you have
22 copies of the map?

1 MR. CHUNG: Yes, ma'am.

2 CHAIRPERSON MILLER: Okay.

3 MR. CHUNG: Yes.

4 CHAIRPERSON MILLER: Okay. How much
5 are you selling the tickets for?

6 MR. CHUNG: Starting at \$40.

7 CHAIRPERSON MILLER: And what do they
8 cover?

9 MR. CHUNG: Just admission.

10 CHAIRPERSON MILLER: Admission?

11 MR. CHUNG: Yes, ma'am.

12 CHAIRPERSON MILLER: So basically like
13 for the music?

14 MR. CHUNG: Yes.

15 CHAIRPERSON MILLER: Okay.

16 MR. CHUNG: I would be happy to go
17 through the questions that was given to us prior
18 to the hearing, if you would like or if the Board
19 has any questions?

20 CHAIRPERSON MILLER: How many
21 questions do you have there?

22 MR. CHUNG: It's the standard. I have

1 done this before. It's 18 questions. I can go
2 through them a little quickly.

3 CHAIRPERSON MILLER: 18? All right.
4 You can do that.

5 MR. CHUNG: Okay. Question 1, what is
6 the event? July 2nd, July 4th, a pre-Independence
7 Day event. It is not -- it is for-profit. It is
8 not for non-profit. We are going to have
9 entertainment, live entertainment. The crowd is
10 21 and over. The hours of operation, I think
11 this is why we got flagged, I think in the
12 application I put 4:00 a.m. We are not planning
13 until 4:00 a.m. We just need it until 2:00 a.m.

14 CHAIRPERSON MILLER: Oh.

15 MR. CHUNG: Sometimes I'm a little bit
16 conservative on that just in case people have
17 drinks in their hands.

18 MEMBER SHORT: Can you repeat that
19 again? It's not 3:00 a.m. Now, it's going to be
20 2:00 a.m.?

21 MR. CHUNG: 2:00 a.m. we are going to
22 stop serving, but I just wanted that opportunity

1 to get people out if they still have drinks in
2 their hands.

3 I would like to start at 9:00 or 10:00
4 p.m. I haven't decided on that. We have some
5 opening bands. Hours of service 9:00 to 2:00 is
6 fine. Live entertainment, yes. We will be
7 offering food. We will have three food trucks.

8 MEMBER SILVERSTEIN: I'm sorry? You
9 will have?

10 MR. CHUNG: We will have three food
11 trucks.

12 MEMBER SILVERSTEIN: Okay.

13 MR. CHUNG: Ticket sales we went over.
14 Have we coordinated with MPD, EMS? Yes, we have.
15 MPD has already been hired, four officers.
16 Gateway Pavilion is providing security at the
17 security checkpoints where the gates are so no
18 cars can enter. You have to walk in. You have
19 to have a ticket.

20 EMS, we plan on doing EMS. We have
21 had that at our events before. Fortunately, we
22 have never used them.

1 Security procedures. We will have our
2 in-house staff. We also use DC Patrol Services
3 as well. We will have 15 security there.

4 CHAIRPERSON MILLER: Is that 15 total
5 or 15 --

6 MR. CHUNG: 15 total.

7 CHAIRPERSON MILLER: Okay.

8 MR. CHUNG: Be that just for about --
9 we look at the -- kind of like the keys. It's a
10 gated space. It's a sealed St. Elizabeth, I
11 don't know if you are familiar with that.

12 CHAIRPERSON MILLER: Yes.

13 MR. CHUNG: A lot of discussion going
14 on.

15 CHAIRPERSON MILLER: Okay.

16 MR. CHUNG: So we are just going to
17 have security around the perimeter.

18 The area where we are providing
19 entertainment is in a concrete area. We are
20 responsible for checking IDs. There is no second
21 point of ID check. You have to be 21 to enter.

22 CHAIRPERSON MILLER: Okay.

1 MR. CHUNG: We are not issuing
2 wristbands.

3 CHAIRPERSON MILLER: Yes.

4 MR. CHUNG: It's 21 and over.

5 CHAIRPERSON MILLER: Yes.

6 MR. CHUNG: Yes, the site is fenced
7 in. It's -- alcohol is being served where you
8 see on the legend. And underage buyer -- and I
9 guess the best we can do is what we normally do,
10 we have the ID books and we have the blue lights
11 and we just have to be thorough in looking at the
12 IDs that are presented and they have to be
13 Government-issued.

14 None of our security staff is allowed
15 to drink. An ABRA manager will be on staff.
16 That's it for the 18 questions.

17 CHAIRPERSON MILLER: So everybody gets
18 checked as they are coming in for ID, right? Are
19 you going to check for anything else security-
20 wise?

21 MR. CHUNG: Yes. We pat them down.
22 You can't bring in alcohol from outside.

1 Anything dangerous, drugs, what have you, we just
2 always have to be careful.

3 CHAIRPERSON MILLER: Do you open
4 women's bags or anything?

5 MR. CHUNG: We do. We have a female
6 security staff member.

7 CHAIRPERSON MILLER: Okay. Board
8 questions?

9 MEMBER SHORT: Madam Chair?

10 CHAIRPERSON MILLER: Yes, Mr. Short?
11 Yes.

12 MEMBER SHORT: You say from 9:00 until
13 2:00 you will be serving alcohol?

14 MR. CHUNG: Yes, sir.

15 MEMBER SHORT: So after 2:00, no one
16 will have alcohol in their hands, right? You
17 will be shutting down sometime before 2:00?

18 MR. CHUNG: We will do last call
19 around 1:50. Then people that have bought their
20 drinks prior to that at 2:00 we are going to have
21 to ask them to throw it away.

22 MEMBER SHORT: Okay.

1 MR. CHUNG: Hopefully they will be
2 compliant.

3 MEMBER SHORT: And you have a live
4 band or you -- what kind of entertainment are you
5 having?

6 MR. CHUNG: Live bands.

7 MEMBER SHORT: What time are they to
8 be playing?

9 MR. CHUNG: Start at 9:00 and that
10 goes on until 12:00. Start at 9:00.

11 MEMBER SHORT: What time do they end?

12 MR. CHUNG: 1:30.

13 MEMBER SHORT: The band stops at 1:30?

14 MR. CHUNG: Yes, sir.

15 MEMBER SHORT: And the drinks stop at
16 1:50?

17 MR. CHUNG: 1:50.

18 MEMBER SHORT: Okay. That's all I
19 have for right now, Madam Chair. Thank you.

20 CHAIRPERSON MILLER: Okay. Others?
21 Mr. Rodriguez?

22 MEMBER RODRIGUEZ: How can I be

1 assured that no minors will be served?

2 MR. CHUNG: If you are not 21, you
3 can't come into the venue.

4 MEMBER RODRIGUEZ: And you have people
5 checking IDs?

6 MR. CHUNG: Yes, sir. So we did a
7 conference call with Gateway Pavilion yesterday.
8 Like I said, that was a mistake with Alabama
9 Avenue and Martin Luther King Avenue. We are
10 only going to have open Martin Luther King Avenue
11 and Alabama Avenue they will have -- Gateway will
12 have their security guards there leaving people
13 to just one entrance and that's where we will be
14 checking IDs at the gate.

15 MEMBER RODRIGUEZ: Okay.

16 CHAIRPERSON MILLER: Others? Mr.
17 Alberti?

18 MEMBER ALBERTI: So you are going to
19 have to forgive me, because I'm not really
20 familiar with the venue itself. So my
21 understanding is that so people will they will be
22 checked at sort of the -- at the entrance to the

1 grounds, not to the pavilion. Is that correct?

2 MR. CHUNG: That's correct.

3 MEMBER ALBERTI: Okay. So this
4 pavilion sits on a large complex, right? I mean,
5 there is lots of grounds around it?

6 MR. CHUNG: Yes.

7 MEMBER ALBERTI: Is the pavilion
8 fenced in?

9 MR. CHUNG: Yes.

10 MEMBER ALBERTI: The pavilion itself
11 is fenced in?

12 MR. CHUNG: It's fenced in.

13 MEMBER ALBERTI: Okay. And you will
14 have people at the entrance? Will you have
15 people at the entrances to control people leaving
16 the pavilion proper?

17 MR. CHUNG: That's correct, Mr.
18 Alberti. So if you look at the diagram, there is
19 a security gate entrance and then that's where we
20 check for tickets, checking for IDs and patting
21 down. Then they walk from the -- this is a
22 concrete sidewalk and they walk right into the

1 area.

2 MEMBER ALBERTI: All right. But you
3 will be able to monitor.

4 MR. CHUNG: Right.

5 MEMBER ALBERTI: So the pavilion is
6 not open on all sides, so people can just kind of
7 wander off into the grounds. Is that correct?
8 That's what I'm asking.

9 MR. CHUNG: Oh, yes. The entire
10 complex --

11 MEMBER ALBERTI: The entire complex?

12 MR. CHUNG: -- acres is fenced in.

13 MEMBER ALBERTI: I got that. I'm
14 talking about the pavilion proper.

15 MR. CHUNG: Right. The concrete area
16 is where, see the circles, we have our security.
17 I have no idea why anybody would want to wander.
18 The buildings are all vacant and they are all
19 under construction.

20 MEMBER ALBERTI: Oh, I can imagine why
21 people would want to wander. So how are you
22 going to prevent people from leaving the event

1 space proper?

2 MR. CHUNG: That's why we have
3 security. The circles --

4 MEMBER ALBERTI: Okay.

5 MR. CHUNG: -- represents security,
6 sir, and that's why -- I understand that ABRA
7 prefers 50 to 100 per patron. I think we are
8 going way overboard on this with 15.

9 MEMBER ALBERTI: Look, I'm not -- yes,
10 fine. I'm just trying to understand to make sure
11 I'm comfortable with this.

12 MR. CHUNG: Yes.

13 MEMBER ALBERTI: So these will be
14 stationary. You've got one, two, three, four,
15 five, six, seven, eight, nine, I count 10
16 security around the perimeter.

17 MR. CHUNG: Yes.

18 MEMBER ALBERTI: All right.

19 MR. CHUNG: And then we will have five
20 roaming within the standing room.

21 MEMBER ALBERTI: Okay. So they will
22 be stationary and monitoring the --

1 MR. CHUNG: Yes, sir.

2 MEMBER ALBERTI: -- perimeters. Is
3 that correct?

4 MR. CHUNG: Yes. That's correct.

5 MEMBER ALBERTI: Okay. All right.
6 Thank you.

7 MEMBER SHORT: Mr. Alberti, if I
8 could? This is on the St. Elizabeth's property
9 that -- basically, that's the reason why I
10 questioned and he corrected to Martin Luther
11 King. That's Gate No. 1, that's the main
12 entrance into the pavilion.

13 MEMBER ALBERTI: Yes.

14 MEMBER SHORT: I mean into the route
15 itself. And then he is saying he still have
16 their frontal protective officers there and
17 Homeland Security is right across, so you are not
18 doing a lot of walking around on those grounds
19 any more.

20 MEMBER ALBERTI: Which ones?

21 MEMBER SHORT: Once you get into the
22 pavilion area and it's well-lit --

1 MEMBER ALBERTI: Okay.

2 MEMBER SHORT: -- I think that, from
3 what I have seen, it is fairly secure.

4 MEMBER ALBERTI: Thank you. Thank you
5 for that, Mr. Short.

6 MEMBER SHORT: Yes.

7 CHAIRPERSON MILLER: Others? I just
8 have one question before we turn to Mr. Ghenene.

9 I think is your estimate 400 people?

10 MR. CHUNG: Yes.

11 CHAIRPERSON MILLER: Are you going to
12 be trying to keep it to 400?

13 MR. CHUNG: Yes.

14 CHAIRPERSON MILLER: And how are you
15 going to do that?

16 MR. CHUNG: We have on-line ticket
17 sales.

18 CHAIRPERSON MILLER: On-line ticket
19 sales. Okay.

20 MR. CHUNG: Right now, ticket sales
21 aren't going very well, so --

22 CHAIRPERSON MILLER: Okay. Okay. So

1 you are not going to sell any more tickets than
2 400? Is that right?

3 MR. CHUNG: That's the goal, yes.

4 CHAIRPERSON MILLER: Okay. Mr.
5 Ghenene?

6 INVESTIGATOR GHENENE: Thank you.
7 Have you guys used this venue before?

8 MR. CHUNG: No. First time. We have
9 worked with DC Events/Events DC. They run
10 Carnegie Library.

11 INVESTIGATOR GHENENE: Yes.

12 MR. CHUNG: And they also ran Castle
13 Stadium as well.

14 INVESTIGATOR GHENENE: Okay.

15 MR. CHUNG: So they have -- they are
16 a part of this. The process has been a little
17 bit different, but we are -- we have not used
18 this specific facility, but we have dealt with
19 some of the same people on the other side.

20 INVESTIGATOR GHENENE: Okay. And as
21 far as people getting to and from there, just
22 because I'm kind of familiar with that area,

1 where do you have people -- where do you plan on
2 people parking?

3 MR. CHUNG: So we did a little
4 reconnaissance of the area. There is a huge
5 parking lot directly across the street that is
6 unused at night. We are going to have to use
7 street parking or take taxis. We specifically do
8 not want cars in this facility.

9 INVESTIGATOR GHENENE: Okay. So you
10 guys have, I guess, negotiated something with the
11 parking lot across the street?

12 MR. CHUNG: It's wide open. It's
13 free.

14 INVESTIGATOR GHENENE: And what are
15 the names of the bands that you guys have?

16 MR. CHUNG: Backyard band is our main
17 act. And we are finalizing three more bands to
18 open.

19 INVESTIGATOR GHENENE: What are the
20 bands that you are considering?

21 MR. CHUNG: The guy that is handling
22 the music and the sound is doing that. I can

1 send that to you once it is finalized or I can
2 even send you the ones we are considering.

3 INVESTIGATOR GHENENE: That's all I
4 have.

5 CHAIRPERSON MILLER: Okay. Thank you.
6 Any other questions?

7 MEMBER SHORT: I would just like to
8 make an observation.

9 CHAIRPERSON MILLER: Yes.

10 MEMBER SHORT: That parking lot you
11 are talking about, I think there is a school
12 there and then you have the car wash?

13 MR. CHUNG: That's correct. The car
14 wash, right next to the -- adjacent to the car
15 wash.

16 MEMBER SHORT: And if the school just
17 happens to be having something that night, you
18 might want to talk with the school to make sure
19 that you are not going to be --

20 MR. CHUNG: Will do.

21 MEMBER SHORT: -- a conflict of
22 interest. Thank you.

1 CHAIRPERSON MILLER: Okay. Good. All
2 right. I'm going to move then that we approve
3 this application. Do I have a second?

4 MEMBER SHORT: Second.

5 CHAIRPERSON MILLER: Mr. Short has
6 seconded the motion.

7 All those in favor say aye.

8 ALL: Aye.

9 CHAIRPERSON MILLER: All those
10 opposed? All those abstaining? The motion
11 passes 6-0-0.

12 And you will get back to Mr. Ghenene
13 with about the music, correct?

14 MR. CHUNG: Yes.

15 CHAIRPERSON MILLER: Okay. Good.
16 Thank you.

17 MR. CHUNG: Thank you.

18 CHAIRPERSON MILLER: So we are just
19 signing off now.

20 (Whereupon, the Fact-Finding Hearing
21 in the above-entitled matter was concluded at
22 10:53 a.m.)

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